	ED STATES DISTRICT COURT THERN DISTRICT OF NEW YORK	
UNIT	ED STATES OF AMERICA	X
-v- RALPH MERCADO		WAIVER OF RIGHT TO BE PRESENT AT CRIMINAL PROCEEDING
	, Defendant. 	21 -CR- 153 (PMH) X
Check I	Proceeding that Applies	
	Arraignment	
	I have been given a copy of the indictment containing the charge attorney. I understand that I have a right to appear before a ju of New York to confirm that I have received and reviewed the income if I wish; and to enter a plea of either guilty or not guilty my attorney, I wish to plead not guilty. By signing this document I willingly give up my right to appear in a courtroom in the South that:	dge in a courtroom in the Southern District dictment; to have the indictment read aloud before the judge. After consultation with t, I wish to advise the court of the following.
	<ol> <li>I have received and reviewed a copy of the ind</li> <li>I do not need the judge to read the indictmen</li> <li>I plead not guilty to the charges against me in</li> </ol>	t aloud to me.
Date:	Signature of Defendant	
	Print Name	
	Bail Hearing	
	I am applying or in the future may apply for release from detention, or if not detained, for modification of the conditions of my release from custody, that is, my bail conditions. I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York at the time that my attorney makes such an application. I have discussed these rights with my attorney and wish to give up these rights for the period of time in which access to the courthouse has been restricted on account of the COVID-19 pandemic. I request that my attorney be permitted to make applications for my release from custody or for modification of the conditions of my release even though I will not be present, and to make such applications in writing or by telephone in my attorney's discretion.	
Date:	Signature of Defendant	

## **Print Name**

## X Conference

I have been charged in an indictment with violations of federal law. I understand that I have a right to be present at all conferences concerning this indictment that are held by a judge in the Southern District of New York, unless the conference involves only a question of law. I understand that at these conferences the judge may, among other things, 1) set a schedule for the case including the date at which the trial will be held, and 2) determine whether, under the Speedy Trial Act, certain periods of time should be properly excluded in setting the time by which the trial must occur. I have discussed these issues with my attorney and wish to give up my right to be present at the conferences. By signing this document, I wish to advise the court that I willingly give up my right to be present at the conferences in my case for the period of time in which access to the courthouse has been restricted on account of the COVID-19 pandemic. I request that my attorney be permitted to represent my interests at the proceedings even though I will not be present.

Date: July 14, 2021 /s/Ralph Mercado

(by John S. Wallenstein, Esq., after discussion and with consent) Signature of Defendant

RALPH MERCADO Print Name

I hereby affirm that I am aware of my obligation to discuss with my client the charges contained in the indictment, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver form. I affirm that my client knowingly and voluntarily consents to the proceedings being held in my client's absence. I will inform my client of what transpires at the proceedings and provide my client with a copy of the transcript of the proceedings, if requested.

Date: July 14, 2021 /s/ John S. Wallenstein

Signature of Defense Counsel

JOHN S. WALLENSTEIN Print Name

Accepted:

Signature of Judge Hon. Philip M. Halpern, U.S.D.J.

Date: July 16, 2021